

IC 33-33-34**Chapter 34. Howard County****IC 33-33-34-1****Application**

Sec. 1. IC 33-29-1 does not apply to this chapter.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-2**Judicial circuit**

Sec. 2. Howard County constitutes the sixty-second judicial circuit.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-3**Establishment of superior court; judges**

Sec. 3. There is established a court of record to be known as the Howard superior court. The court consists of two (2) judges each of whom holds office for six (6) years and until the judge's successor is elected and qualified.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-4**Election of judges**

Sec. 4. The judge for this court shall be elected every six (6) years at the general election. The term of office begins the first day of January following the judge's election, and continues for six (6) years and until the judge's successor is elected and qualified.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-5**Seal**

Sec. 5. The Howard superior court shall have a seal consisting of a circular disk containing the words "Howard Superior Court", an impression of which shall be spread of record upon the order book of the court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-6**Location of court sessions**

Sec. 6. (a) The Howard superior court shall hold its sessions in:

- (1) the Howard County courthouse in Kokomo; or
- (2) another convenient and suitable place as the board of county commissioners of Howard County provides.

(b) The board of county commissioners shall provide and maintain a suitable and convenient courtroom for the holding of the court, with a suitable and convenient jury room and offices for the judge and the official court reporter, and the county council shall meet and appropriate all necessary funds.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-7

Judicial powers

Sec. 7. The judges of the superior court:

- (1) may make and adopt rules and regulations for conducting the business of the court;
- (2) has all the powers in relation to the attendance of witnesses, the punishment of contempts, and the enforcement of its orders; and
- (3) may administer oaths, solemnize marriages, take and certify acknowledgement of deeds, and give all necessary certificates for the authentication of the records and proceedings in the court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-8

Additional powers

Sec. 8. The judges of the superior court have the same power to grant restraining orders and injunctions, to issue writs of habeas corpus and of mandate and prohibition, to appoint receivers, masters and commissioners to convey real property, to grant commissions for the examination of witnesses, and to appoint other officers necessary to facilitate and transact the business of the court as is conferred on circuit courts.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-9

Books, papers, and records of the court

Sec. 9. The clerk, under the direction of the judge, shall provide order books, judgment dockets, execution dockets, fee books, and such other books, papers, and records as are necessary for the court, and all books, papers, and proceedings of the court shall be kept distinct and separate from those of other courts.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-10

Bailiff and court reporter

Sec. 10. Each judge shall appoint a bailiff and court reporter whose duties, salary, and term shall be regulated in the same manner as is provided for the circuit court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-11

Jury commissioners; juries

Sec. 11. Before the commencement of any term of the court, the clerk of the court and jury commissioners appointed by the judge of the circuit court of the county shall select a petit jury to serve at the next term of court. The officers in selecting, the clerk in issuing process for the jury, and the sheriff in serving the process are governed by the rules and regulations prescribed for the selection of petit jurors in the circuit court. The court may order on what day of

the term the jurors are summoned to attend the court. The judge of the court may order the selecting and summoning of other jurors for the court whenever it is necessary.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-12

Additional personnel

Sec. 12. Each judge may appoint additional officers and personnel as is necessary for the proper administration of the judge's duties as judge of the court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-13

Rules; presiding judge

Sec. 13. (a) The court shall adopt rules to provide for the operation and conduct of the court.

(b) The court shall designate one (1) of the judges as presiding judge who shall serve in that capacity for three (3) years, at the end of which another judge shall be selected to serve as presiding judge for the same period. The presiding judge shall ensure that the court operates efficiently and judicially.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-14

Action by entire court

Sec. 14. When any action of the entire court is required, the judges of the court shall act in concert. If there is a disagreement, the decision of the presiding judge controls.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-15

Transfer of action from circuit court

Sec. 15. The judge of the circuit court may, with the consent of this court, transfer any action, cause, or proceeding filed and docketed in the circuit court to this court by transferring all original papers and instruments filed in the action, cause, or proceeding without further transcript to be redocketed and disposed of as if originally filed with this court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-16

Transfer of action to circuit court

Sec. 16. Any judge of this court may, with the consent of the judge of the circuit court transfer any action, cause, or proceeding filed and docketed in this court to the circuit court by transferring all original papers and instruments filed in such action, cause, or proceeding without further transcript to be redocketed and disposed of as if originally filed with this court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-17**Sitting of circuit court judge**

Sec. 17. The judge of the Howard circuit court may, with the court's permission, sit and act as a judge of this court in all matters pending before this court, without limitation and without any further order, in the same manner and stead as if the judge were a judge of this court, with all the rights and powers as if the judge were an elected judge of this court, including the right to act as presiding judge and otherwise participate in the organization and administration of this court.

As added by P.L.98-2004, SEC.12.

IC 33-33-34-18**Jurisdiction**

Sec. 18. (a) The Howard superior court has original and concurrent jurisdiction with the circuit court in all civil actions and proceedings at law and in equity, probate and guardianship proceedings, actions for divorce, separation, annulment of marriage, and in all criminal cases and proceedings. However, the superior court does not have the jurisdiction of a juvenile court or judge, as described in IC 33-23-7.

(b) The Howard superior court has original and concurrent jurisdiction in all appeals or reviews from boards of county commissioners, other executive or administrative agencies or inferior courts, and all other appellate jurisdictions vested in the circuit court.

As added by P.L.98-2004, SEC.12.